

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

Robert Ward, *on behalf of himself and all others similarly situated,*

Plaintiff,  
v.

Flagship Credit Acceptance, LLC,  
Defendant.

Civil Action No.: 2:17-cv-02069-MMB

**DECLARATION OF ANYA VERKHOVSKAYA REGARDING  
CLASS SETTLEMENT NOTICE PLAN**

I, Anya Verkhovskaya, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the President of Class Experts Group, LLC (“CEG”). CEG is a provider of litigation support services with primary focus on data management and data analysis. The matters stated herein are based upon my personal knowledge or matters known or reasonably available to me.
2. If called to testify in this action, I would state the following:
3. I have nearly 20 years of experience preparing, coordinating, and effectuating notice plans in nearly one thousand class action litigations and settlements. I also have nearly 20 years of experience identifying and locating class members. A copy of my résumé is attached hereto as Exhibit A. My résumé includes a listing of cases in which I directed notice plans and, in the majority of cases, additional aspects of class action administration.
4. I am over 18 years of age and am not a party to this action. I have personal knowledge of the matters set forth herein, and would testify competently thereto if called as a witness.

5. The purpose of this declaration is to provide an overview of the proposed process by which class members can be notified of settlement.

## **PROPOSED CLASS NOTICE PLAN**

6. Direct notice mailed to class members via First-Class Mail is generally considered the most effective and efficient way to contact and inform them when name and address information is known or can be identified. The probability of an identified class member seeing and reading the contents of the notice provided by an individually-mailed postcard is greater than the probability of his or her reading the notice when published in a newspaper, magazine or through a television or radio announcement.

7. The *United States Postal Service Mail Moments Study 2016*, a study on mail use and attitudes published by the United States Postal Service (USPS), showed that approximately 92% of persons review or look through their mail each day. Because the notice will be sent via First-Class Mail, with a statement on the postcard face in bold typeface that the material pertains to an important court-ordered legal notice, the percentage that would read this notice likely would be even greater.

8. The postcard notice and long-form notice include material normally required to inform class members of their rights, including case identity, case substance, court procedures, key dates, and contact information.

9. The mailed postcard notice will include information regarding how to access the long-form notice either via phone-call request or by downloading it at the case specific website.

10. The long-form notice is based upon the question and answer format suggested by the Federal Judicial Center and will comply with Rule 23(c)(2)(B) and Due Process.

11. The postcard and long-form notices are drafted in concise, plain language.

Notice Content

12. The case identity information includes the name of the case, the purpose of the notice, the definition of the class, the names of Plaintiff and Defendants, the jurisdiction, and key dates.

13. The case substance information includes the following: an explanation of the case and the allegations brought against Defendants; a statement that the Defendants deny the allegations and that the Court has not decided the merits of the case; instructions on how to opt-out of the class by the deadline, the benefits and restrictions for opting out, and what will happen for class members if they do not opt-out of the class.

14. Court procedures will be described including statements that class members may hire their own attorney, appear in court, and raise concerns if they feel they are not fairly and adequately represented by Plaintiff and Class Counsel. The notice will also convey that they are bound by the Court's decision if they do not opt out, and they do not need to hire an attorney if they do not wish to do so. The notice will also discuss how to obtain any potential recovery after all issues are resolved and how attorneys' fees will be paid.

15. Contact information provided includes postal addresses for opt-outs and additional information about the case, a toll-free case telephone number, the website address, plus a telephone number that class members can call to speak with Class Counsel. Finally, there is a statement telling readers not to contact the Court directly.

16. The proposed postcard notice and long-form notice are attached as Exhibit B.

Address Identification

17. Class member name and address information can be obtained by coordinating a standard historical reverse-append process through data processor LexisNexis. This is a process

which I have coordinated numerous times in various Court-approved engagements in both class certification and settlement contexts. It is the same process that was utilized in *Ikuseghan v. MultiCare Health System*, Case No. 14-5539, United States District Court, Western District of Washington, Tacoma and *Krakauer v. DISH Network L.L.C.*, Case No. 14-cv-333, United States District Court, Middle District of North Carolina, among others.

18. After the mailing list is compiled, all addresses will be checked against the USPS National Change of Address (NCOA) database and updated accordingly. The NCOA database contains records of all permanent change of address submissions received by the USPS. The USPS makes this data available to mail houses and lists submitted to it are automatically updated with any reported move based upon a comparison with the person's name and last known address.

19. Postcard notices returned as undeliverable will be tracked, tabulated, and re-mailed to any address available through postal service information. For example, to the address provided by the USPS on returned mail pieces for which the automatic forwarding order has expired, but is still within the period that the USPS returns the piece with the new address indicated.

20. Additionally, a standard best-address advanced address lookup will be completed for those notice postcards without a USPS forwarding address.

Website

21. CEG will create and maintain a case-specific website and will post relevant documents and answers to frequently asked questions. Class members will have the option to download copies of case documents, including the long-form notice, the Settlement Agreement, the Complaint, and the Preliminary Approval Order. The website will provide class members with general information about the settlement and their options and rights.

Initial Costs of Notification

22. Initial funding of the settlement account in the amount of \$50,000 was calculated to be sufficient to cover the initial costs of Class Member identification, printing of postcard notices, and postage.

## **CONCLUSION**

23. Based upon my experience in class action notice administration and in preparing and executing notice programs, the notice methods used in this Notice Plan are consistent with other Court-approved, effective class action notice plans.

24. The attached notices are clear, concise, and written in plain language.

25. This Notice Plan provides the best notice practicable under the circumstances and meets the due process communications standard. The Notice Plan is consistent with the 70-95% reach guideline set forth in the Federal Judicial Center's *Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide*.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 12, 2018



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Anya Verkhovskaya

# EXHIBIT A

**ANYA VERKHOVSKAYA**

President

Class Experts Group, LLC  
Milwaukee, WI

anyav@classexpertsgroup.com  
262-302-4443

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Anya Verkhovskaya is the President of Class Experts Group, LLC, a boutique firm which offers litigation support services with focus on data and expert services in the area of Telephone Consumer Protection Act (TCPA), class notice, and consumer class action support services.

Verkhovskaya has extensive experience administering some of the largest and most complex class action settlements in history, involving all aspects of direct, media and third party notice programs, data management, claims administration and settlement fund distribution.

Verkhovskaya has been a pioneer in class member identification and location in TCPA and other consumer cases for purposes of class certification and effectuating notice programs. Verkhovskaya regularly provides opinions and testimony concerning ascertainability, class certification, notice adequacy and settlement issues in connection with TCPA matters as well as a variety of other types of class actions.

Verkhovskaya has directed data analysis in connection with notice and/or settlement administration in hundreds of consumer, TCPA, civil rights, insurance, antitrust, ERISA, securities, employment, human rights, environmental and other types of class action and Securities and Exchange Commission (SEC) fairness actions, including, but not limited to, the following cases:

- *Ace Marine Rigging & Supply, Inc. v. Virginia Harbor Services, Inc. et al.*, No. SACV1100436-GW (FFMx), United States District Court, Central District of California
- *Acevedo v. Lawyers Title Insurance Corporation*, Case No. 03-CH-07718, Circuit Court of Cook County, Illinois, County Department, Chancery Division
- *In re ACS Shareholders Litigation*, Master File No. 3:06-CV-1592-M, United States District Court, Northern District of Texas, Dallas Division

- *In re Adolor Corporation Shareholders Litigation*, C.A. No. 6997-VCN, Court of Chancery of the State of Delaware
- *In re Affiliated Computer Services ERISA Litigation*, Master File No. 3:06-CV-1592-M, Northern District of Texas, Dallas Division
- *In re AIG ERISA Litigation*, Master File No.: 04-CV-9387 (JES) (AJP), United States District Court, Southern District of New York
- *In re AirGate PCS, Inc. Securities Litigation*, Civil Action No.: 1:02-CV-1291-JOF, United States District Court, Northern District of Georgia, Atlanta Division
- *Akins v. Worley Catastrophe Response, LLC*, Civil Action No. 12-2401, United States District Court, Eastern District of Louisiana
- *Alakayak v. All Alaskan Seafoods, Inc.*, Case No. 3AN-95-4676 CIV, Superior Court for the State of Alaska, Third Judicial District at Anchorage
- *Allen v. HealthPort Technologies, LLC*, Case No. 12-CA-013154, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida General Civil Division
- *Alper v. Warnock Ford, Inc.*, Docket No.: MRS-L-1644-10, Superior Court of New Jersey, Morris County
- *Altier v. Worley Catastrophe Response, LLC*, Civil Action No. 11-00241, United States District Court, Eastern District of Louisiana
- *In re American Italian Pasta Company Securities Litigation* (AIPC and Ernst Settlements), Consolidated Civil Action No. 05-CV-0725-W-ODS, United States District Court for the Western District of Missouri, Western Division
- *In re Andrx Corporation, Inc., Taztia™ XT Securities Litigation*, CASE NO.: 02-60410, United States District Court, Southern District of Florida
- *Arias v. Award Homes, Inc.*, Case No. M54183, Superior Court of California, County of Monterey
- *Arteaga v. MODA Furniture, Inc.*, Docket No: L-000980-05, Superior Court of New Jersey, Morris County
- *In re Assicurazioni Generali S.p.A. Holocaust Insurance Litigation*, MDL 1374, United States District Court, Southern District of New York

- *In re Atlas Energy, Inc. Shareholders Litigation*, C.A. No. 5990-VCL, Court of Chancery, State of Delaware
- *Austrian Banks Holocaust Litigation*, Case Nos. 01-3017, 01-3019, 01-3024, 01-3025, United States District Court for the Southern District of New York
- *Balschmiter v. TD Auto Finance LLC*, 2:2013cv01186, United States District Court, Eastern District of Wisconsin
- *Baptista v. Mutual of Omaha Insurance Co.*, CA 10-467 ML, United States District Court, District of Rhode Island
- *Bauman v. Superior Financial Corp.*, Civ. Action No. 4-01-CV-00756 GH, United States District Court, Eastern District of Arkansas, Western Division
- *In re Bear Stearns Companies, Inc. ERISA Litigation*, Case No. 08-MDL-1963, United States District Court, Southern District of New York
- *In re Beazer Homes USA, Inc. ERISA Litigation*, Civil Action No. 1:07-CV-00952 (RWS), United States District Court for the Northern District of Georgia, Atlanta Division
- *In re Beckman Coulter, Inc. Securities Litigation*, Case No.: 8:10-cv-1327-JST (RNBx), United States District Court, Central District of California
- *Benzion v. Vivint, Inc.*, Case No. 12-CV-61826-WJZ, United States District Court, Southern District of Florida, Fort Lauderdale Division
- *In re BigBand Networks, Inc. Securities Litigation*, Master File No. 07-CV-5101 SBA, United States District Court, Northern District of California, Oakland Division
- *In re BISYS Securities Litigation*, Civil Action No. 04-CV-3840 (JSR), United States District Court, Southern District of New York
- *Black v. Metso Paper USA, Inc.*, Civil Action No. 3:05-CV-1951, United States District Court for the Middle District of Pennsylvania
- *Blanco v. KeyBank USA, N.A.*, Case No.: 1-03-CV-524, United States District Court, Northern District of Ohio, Eastern Division
- *Board of Commissioners of the Port of New Orleans v. Virginia Harbor Services Inc.*, No. SACV11-00437-GW (FFMx)

- *Bosland v. Warnock Dodge, Inc.*, Docket No.: MRS-L-844-06, Superior Court of New Jersey, Morris County
- *In re BP Prudhoe Bay Royalty Trust Securities Litigation*, Case No. C06-1505 MJP, United States District Court, Western District of Washington at Seattle
- *Bragg v. Bill Heard Chevrolet, Inc.-Plant City*, Case No. 8:02-CV-609-T-30EAJ, United States District Court, Middle District of Florida, Tampa Division
- *Brattain v. Richmond State Hospital*, Cause No. 49D11-0108-CP-1309, Cause No. 49D110108-CP-1309, Marion Superior Court, County of Marion, State of Indiana
- *Brey Corp. v. Life Time Improvements, Inc.*, Civil Action No. 349410-V, Circuit Court for Montgomery County, Maryland
- *Brieger v. Tellabs, Inc.*, Case No. 1:06-cv-1882, United States District Court, Northern District of Illinois, Eastern Division
- *Broad St. Partners Fund v. Dods*, Case No. 2011 CH 001505, State of Illinois, County of Du Page, Circuit Court of the Eighteenth Judicial Circuit
- *Brown v. Hayt, Hayt & Landau, LLC*, Docket No.: L-7042-07, Superior Court of New Jersey, Essex County
- *Brumfield v. Countrywide Home Loans, Inc.*, 1:08-CV-93-HSO-JMR, Mississippi Southern District Court
- *Burns v. First American Bank*, Case No. 04 C 7682, United States District Court for the Northern District of Illinois, Eastern Division
- *In re Calpine Corporation ERISA Litigation*, Master File No. C 03-CV-1685 (SBA), United States District Court, Northern District of California, Oakland Division
- *Canning v. Concord EFS, Inc.*, Docket No. L-6609-02, Superior Court of New Jersey, Law Division: Camden County
- *Capovilla v. Lone Star Technologies, Inc.*, Cause No. 07-02979, District Court of Dallas County, Texas, 14th Judicial District
- *In re Cardinal Health, Inc. ERISA Litigation*, No. C2-04-643 (ALM), United States District Court, Southern District of Ohio, Eastern Division

- *Carlson v. C.H. Robinson Worldwide, Inc.*, Civil Action No. CV 02-3780, United States District Court for the District of Minnesota
- *Carlson v. State of Alaska, Commercial Fisheries Entry Commission*, Case No. 3AN-845790 CI, Superior Court for the State of Alaska, Third Judicial District at Anchorage
- *In re Cbeyond, Inc. Securities Litigation*, Civil Action No. 1:08-cv-1666 (CC), United States District Court, Northern District of Georgia
- *Cement Masons & Plasterers Joint Pension Trust v. TNS, Inc.*, Case No. 1:06 CV 363 CMH/BRP, United States District Court, Eastern District of Virginia
- *Cerda v. Associates First Capital Corporation*, Civil Action No. M-03-146, United States District Court, Southern District of Texas, McAllen Division
- *Chao v. Slutsky*, Civil Action File No. 01-CIV-7593, United States District Court, Eastern District of New York
- *Clayton v. Velociti, Inc.*, Case No. 08-CV-2298-CM/GLZ, United States District Court for the District of Kansas at Kansas City
- *Clearview Imaging, L.L.C. v. Dairyland Insurance Company*, Case No.: 04-11399, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Clearview Imaging, L.L.C. v. Mercury Insurance Company of Florida*, Case No. 03-5170, Circuit Court of the Thirteenth Judicial Circuit of the State of Florida, in and for Hillsborough County, Florida, Civil Division
- *Clearview Imaging, L.L.C. v. Nationwide Mutual Insurance Company*, Case No. 04-10396 Division H (consolidated), Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Clearview Imaging, L.L.C. v. Progressive Consumers Insurance Company*, Case No. 034174 Division C, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Clemons v. Thompson*, Docket No.: MON-L-001980-07, United States District Court, Eastern District of New York
- *In re CNX Gas Corporation Shareholders Litigation*, C.A. No. 5377-VCL, Court of Chancery of the State of Delaware

- *Cohen v. JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A.*, Case No. 04 CV 4098, United States District Court, Eastern District of New York
- *Coleman v. Lincoln Wood Products, Inc.*, 99-CVS-1362, Superior Court of New Jersey, Middlesex County: Law Division
- *Collins v. American Consumer Shows, Inc.*, Civil Action No. 1:10-CV-11912-RGS, United States District Court, District of Massachusetts
- *Commonwealth of Massachusetts v. H&R Block, Inc.*, Civil Action No. 08-2474-BLS1, Suffolk Superior Court
- *In re Connetics Securities Litigation*, Case No. C 07-02940 SI, United States District Court for the Northern District of California
- *In re: The Consumers Trust*, Case No. 05 – 60155 (REG), United States Bankruptcy Court, Southern District of New York
- *Coppess v. Healthways, Inc.*, Case No. 3:10-cv-00109, United States District Court, Middle District of Tennessee, Nashville Division
- *Corsello v. Verizon New York, Inc.*, Case No. 39610/07, Supreme Court of the State of New York
- *Cotton v. Ferman Management Services Corporation*, Case No.: 02-08115, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Cottrell v. Gardner*, Civ. Action No. CV-2002-121(I), Superior Financial Corp. Derivative Action, State of Arkansas, Sebastian County, Arkansas
- *In re CP Ships Ltd. Securities Litigation*, Case No. 8:05-MD-1656-T-27TBM, United States District Court for the Middle District of Florida
- *Croxall v. Tampa Hund L.P.*, Case No. 03-6201, The Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Cruz v. Condor Capital Corporation*, Docket No. MID-L-2108-06, Superior Court of New Jersey, Middlesex County: Law Division
- *Curtis v. Northern Life Insurance Company*, No. 01-2-18578-1 SEA, Superior Court of Washington for King County

- *Dandong, et al. v. Pinnacle Performance Limited*, et al., No. 10-cv-8086 (JMF), United States District Court, Southern District of New York
- *In re: DDAVP Indirect Purchaser Antitrust Litigation*, Civil Action No. 05-cv-2237 (CS), United States District Court, Southern District of New York
- *DeCarlo v. Lerner New York, Inc.*, Case No. BC 317954, Superior Court of the State of California, Los Angeles County
- *In re Del Monte Foods Company Shareholder Litigation*, Consolidated C.A. No. 6027-VCL, Court of Chancery, State of Delaware
- *In re Delphi Financial Group Shareholders Litigation*, Consolidated C.A. No. 7144-VCG, Court of Chancery of the State of Delaware
- *Desai v. ADT Security Services, Inc.*, Case No. 1:11-CV-1925, United States District Court, Northern District of Illinois
- *Di Popolo v. Ramsey Nissan, Inc.*, Docket No. BER-L-10319-09, Superior Court of New Jersey, Bergen County
- *In re Diebold ERISA Litigation*, No. 5:06 CV 0170, United States District Court for the Northern District of Ohio Eastern Division
- *Dishkin v. Tire Kingdom, Inc.*, Case No. 3D08-2088, Circuit Court for Miami-Dade County, Florida
- *Drury v. Countrywide Home Loans, Inc.*, Case No. 6:08-cv-152-ORL-28 DAB, United States District Court, Middle District of Florida, Orlando Division
- *In re Dura Pharmaceuticals, Inc. Securities Litigation*, Master File No. 99-CV-0151-JLS (WMC), United States District Court, Southern District of California
- *Eisenberger v. Boston Service Company, Inc.*, Docket No.: MID-L-10366-09, Superior Court of New Jersey, Middlesex
- *In re Electronic Data Systems Corp. ERISA Litigation*, 6:03-MD-1512 and Lead Case: 6:03CV-126 (ERISA), United States District Court, Eastern District of Texas, Tyler Division
- *In re Emergent Group, Inc. Shareholder Litigation*, Lead Case No. BC455715, Superior Court of the State of California, County of Los Angeles

- *In re: Enterprise Rent-A-Car Wage & Hour Employment Practices Litigation*, MDL No. 2056, United States District Court for the Western District of Pennsylvania
- *Epstein v. Sears, Roebuck and Co.*, Docket No.: UNN-L-1732-09, Superior Court of New Jersey, Union County: Law Division
- *Estate of Gary Robertson v. ADS Alliance Data Sys., Inc.*, Case No. 8:11-cv-1652-T-33TBM, United States District Court, Middle District of Florida, Tampa Division
- *Estates of Hampton v. Beverly Enterprises-Arkansas, Inc.*, No. CV 2004-95-3, Circuit Court of Bradley County, Arkansas
- *Estep v. Smythe Volvo, Inc.*, Case No. UNN-L-004184-03, Superior Court of New Jersey, Union County: Law Division
- *Evans v. Stewart Title Guaranty Company*, Case No. 04-06630-05, Circuit Court of the 17th Circuit, Broward County, Florida
- *Family Open MRI, Incorporated v. Direct General Insurance Company*, Case No. 03-4175, Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *In re Fannie Mae ERISA Litigation*, Consolidated Civil Action No.: 1:04-cv-01784 (RJL), United States District Court, District of Columbia (Washington, D.C.)
- *Fernando v. Neopost USA, Inc.*, Case No.: BC439856, Superior Court of the State of California, County of Los Angeles
- *Fernando v. Priority Mailing Systems*, Case No. BC439857, Superior Court of the State of California, County of Los Angeles
- *Ferro v. Florida Windstorm Underwriting Assoc.*, Civil 00014808, 17th Judicial Circuit, Broward County, Florida
- *In re FLAG Telecom Holdings, Ltd. Securities Litigation*, Master File No. 02-CV-3400 (CM) (PED), United States District Court, Southern District of New York
- *Flood v. Dominguez*, Case No. 2:08-CV-153, United States District Court for the Northern District of Indiana
- *Kellman v. Forever 21 Retail, Inc.*, Case No. 12-32841 CA 05, Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida

- *Francis v. A&E Stores, Inc.*, Case No. 06 CV 1638(CS)(GAY), United States District Court, Southern District of New York
- *Franco v. Ace Parking Management Inc.*, Case No. BC 392809, Superior Court of the State of California, Los Angeles County
- *Fray-Witzer v. Metropolitan Antiques, LLC*, Civil Action No. 02-5827, Commonwealth of Massachusetts, Superior Court, Department of the Trial Court, Suffolk Division
- *Fray-Witzer v. Olde Stone Land Survey Company, Inc.*, C.A. No.: 2008-04175, Superior Court C.A. No. 2008-04175, Commonwealth of Massachusetts
- *In re Fremont General Corporation Litigation*, CV07-02693 JHN(FFMX), United States District Court for the Central District of California
- *Friedman v. Rayovac Corp.*, Case No. 02-C-0308-C, United States District Court for the Western District of Wisconsin
- *Froumy v. Stark & Stark*, Case No. 3:09-cv-04890, United States District Court, District of New Jersey
- *FW Transportation, Inc. v. Associates Commercial Corp.*, Case No. C200000084, District Court of Johnson County, Texas, 18th Judicial District
- *In re General Electric Company Securities Litigation*, Civ. No. 09-CIV-1951 (DLC), United States District Court, Southern District of New York
- German Forced Labor Compensation Program (GFLCP)
- *In re Gilead Sciences Securities Litigation*, Master File No. C-03-4999-SI, United States District Court, Northern District of California
- *Gilley v. Ernie Haire Ford, Inc.*, Case No.: 02-8101, Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *In re Goodrich Shareholders Litigation*, Index No. 13699/2011 (Consolidated), Supreme Court of the State of New York, County of Nassau: Commercial Division
- *Graham v. Town & Country Disposal of Western Missouri, Inc.*, Case No.: 4:10-CV-00551, United States District Court for the Western District of Missouri

- *Greenstein v. Nations Title Agency of Florida, Inc.*, Case No.502007CA014085XXXMBAA, Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida
- *Griffin v. Flagstar Bancorp*, Inc., Case No. 2:10-cv-10610, United States District Court, Eastern District of Michigan, Southern Division
- *Groen v. PolyMedica Corporation*, Civil Action No. 07-3352, Commonwealth of Massachusetts, Superior Court Department, Middlesex County
- *Gulf Coast Injury Center, LLC v. Nationwide Mutual Fire Insurance Company*, Case No.: 08-CA-012621, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- *Hall v. The Children's Place Retail Stores, Inc.*, Civil Action No. 1:07-cv-08252-SAS (Consolidated), United States District Court, Southern District of New York
- *Hamilton v. ATX Services Inc.*, Case No. 08-0030-CV-W-SOW, United States District Court for the Western District of Missouri, Western Division
- *Hargrave v. TXU Corp.*, Case No. 3:02-CV-2573-K, United States District Court, Northern District of Texas, Dallas Division
- *Harris v. First Regional Bancorp*, Case No.: CV10-7164 CJC (MLGx), United States District Court Central District of California
- *Harris v. Koenig*, Case No. 1:02-CV00618 (GK), United States District Court for the District of Columbia
- *In re Hartford Financial Services Group Inc. ERISA Litigation*, Master File: 3:08-CV-01708 (PCD), United States District Court, District of Connecticut
- *Haynes v. Baptist Health*, 240 S.W.3d 576 (2006), Supreme Court of Arkansas
- *In re: Hearst-Argyle Shareholder Litigation*, Index No. 09-Civ-600926, Supreme Court of the State of New York, County of New York
- *Hellmers v. Countrywide Home Loans, Inc.*, Civil Action No. 07-7703, United States District Court, Eastern District of Louisiana
- *Hess v. Oriole Homes Corp.*, Civil Action No. 07-7703, Circuit Court of the 15th Judicial Circuit, Palm Beach County, Florida

- *Hill v. American Medical Security Life Insurance Company*, C.A. No. W-06 CA 332, United States District Court, Western District of Texas, Waco Division
- *Hill v. Countrywide Home Loans, Inc.*, Case No. A-0178441, United States District Court, Eastern District of Texas
- *Holley v. Kitty Hawk, Inc.*, Case No. 3-00 CV 0828-P, United States District Court for the Northern District of Texas, Dallas Division
- *In re Holocaust Victim Assets Litigation (Swiss Banks) (HVAP)*, Master Docket No. CV-964849 , United States District Court, Eastern District of New York
- *Horton v. Cavalry Portfolio Services, LLC*, Case No. 13 CV0307 JAH WVG, United States District Court, Southern District of California
- *Hudson United Bank v. Chase*, Docket No.: L-235-05, Superior Court of New Jersey, Hunterdon County
- *Hughley v. Maryland Casualty Company*, Case No.: 06-21428-CIV-ALTONAGA, United States District Court for the Southern District of Florida, Miami Division
- *Hunt v. PacifiCare Life and Health Insurance Company*, Case No. 37-2009-00088839-CUIC-CTL
- *Hutson v. Baptist Health*, Case No. CV 08-8221, Pulaski Circuit/County Court [Arkansas]
- *Hutt v. Martha Stewart Living Omnimedia, Inc.*, Index No. 651249/2012, Supreme Court of New York, County of New York
- *In re ICG Communications, Inc. Securities Litigation*, Civil Action No. 00-cv-1864-REBBNB (Consolidated), United States District Court for the District of Colorado
- *In re: InfoSonics Securities Litigation*, Civil Action No. 06-CV-1231-JLS (WMC), District Court for the Southern District of California
- *In re ING Groep, N.V. ERISA Litigation*, Master File No. 1:09-CV-00400-JEC, United States District Court, Northern District of Georgia, Atlanta Division
- *In re International Business Machines Corp. Securities Litigation*, Civil Action No. 1:05-cv6279 (AKH), United States District Court, Southern District of New York
- International Commission on Holocaust Era Insurance Claims (ICHEIC)

- *In re Iowa Ready-Mixed Concrete Antitrust Litigation*, Case No. 5:10-CV004038-MWB, United States District Court, Northern District of Iowa, Western Division
- *In re J. Crew Group, Inc. Shareholders Litigation*, Case No. 6043-CS, Court of Chancery of the State of Delaware
- *In re JDS Uniphase Corporation ERISA Litigation*, Master File No. C 03-04743 CW, United States District Court, Southern District of West Virginia at Beckley
- *Kalow & Springut, LLP v. Commence Corporation*, Case No. 07-3443 (FLW/JJH), United States District Court for the District of New Jersey
- *Kay v. Wells Fargo & Company*, Case No. 07-01351 WHA, United States District Court, Northern District of California
- *In re: King Pharmaceuticals, Inc. Securities Litigation*, No. 2:03-CV-77, United States District Court, Eastern District of Tennessee, Greeneville Division
- *Krakauer v. DISH Network, LLC*, Civil Action No. 1:14-cv-00333-CCE-JEP, United States District Court, Middle District of North Carolina
- *Kreher v. City of Atlanta, Georgia*, Case No. 1:04-cv-2651, United States District Court, Northern District of Georgia
- *Kubacki v. Peapod, LLC*, Case No. 13 C 729, United States District Court for the Northern District of Illinois, Eastern Division
- *Kubota v. Walker*, Cause Number 06-02446, District Court of Dallas County, Texas, 95<sup>th</sup> Judicial District
- *The Lafayette Life Insurance Company v. City of Menasha*, Cause No. 4:09-CV-64TLS-APR, United States District Court, Northern District of Indiana, Hammond Division (Lafayette)
- *In re LDK Solar Securities Litigation*, Master File No. C 07-05182 WHA, United States District Court, Northern District of California
- *In re Lear Corp. ERISA Litigation*, Master File: 2:06-CV-11735 (AJT-VMM), United States District Court, Eastern District of Michigan
- *Lehmann v. Ivivi Technologies, Inc.*, Docket No. C-343-09, Superior Court of New Jersey, Bergen County, Chancery Division

- *In re Lehman Brothers Equity/Debt Securities Litigation*, Case No. 09-MD-2017 (LAK), United States District Court, Southern District of New York
- *In re Lernout & Hauspie Securities Litigation* (Directors and FLV Settlements), Civil Action No. 00-CV-11589 (PBS), United States District Court for the District of Massachusetts
- *In re Lernout & Hauspie Securities Litigation* (KPMG Settlement), Case No. 04-CV-1738, United States District Court for the District of Massachusetts
- *Leslie Niederklein v. PCS Edventures!.com, Inc.*, Civil Action No. 1:10-cv-00479-CWD, United States District Court, District of Idaho
- *Lilly v. Oneida Ltd. Employee Benefits Admin. Comm.*, Case No. 6:07-cv-00340 (NPM/ATB), United States District Court, Northern District of New York
- *In re Limelight Networks, Inc. Securities Litigation*, Master File No. CV07-01603-PHXR, United States District Court, District of Arizona
- *Lofton v. Verizon Wireless (VAW) LLC*; Case No. C 13-05665 YGR, United States District Court for the Northern District of California, Oakland Division
- *Long v. Eschelon Telecom, Inc.*, File Number 27-CV-07-6687, Fourth Judicial District of the State of Minnesota, County of Hennepin
- *Lopera v. The Receivable Mgmt. Servs. Corp.*, Case No. 12-CV-9649, United States District Court for the Northern District of Illinois, Eastern Division
- *The Louisiana Municipal Police Employees Retirement System v. Deloitte & Touche LLP*, C.A. No. 04-621 (LDW), United States District Court, Eastern District of New York
- *Mann & Company, PC v. C-Tech Industries, Inc.*, Civil Action No. 1:08CV11312-RGS, United States District Court, District of Massachusetts
- *Mann v. Lawyers Title Insurance Corporation*, Case No. 03 CH 15223, Circuit Court of Cook County, Illinois, County Department, Chancery Division
- *Mantzouris v. Scarritt Motor Group, Inc.*, Case No. 8:03CV0015-T-30-MSS, United States District Court, Middle District of Florida, Tampa Division

- *In re Marine Hose Antitrust Litigation* (Bridgestone, Dunlop, Parker, Trelleborg, and Yokohama Settlements), Master Docket No. 08-MDL-1888-Graham/Turnoff, United States District Court, Southern District of Florida, Miami Division
- *In re Marsh ERISA Litigation*, Master File No.: 04 cv 8157 (CM), United States District Court, Southern District of New York
- *In re Martek Biosciences Corp. Securities Litigation*, Civil Action No. MJG 05-1224, United States District Court, District of Maryland, Northern Division
- *Martin v. aaiPharma, Inc.*, Master File No: 7:04-CV-27-D, United States District Court, Eastern District of North Carolina
- *Martin v. Dun & Bradstreet, Inc.*, Case No. 1:12-cv-00215, United States District Court for the Northern District of Illinois
- *Martin v. Foster Wheeler Energy Corporation*, Case No. 3:06-CV-00878, United States District Court, Central District of California
- *In re Massey Energy Co. Securities Litigation*, Civil Action No. 5:10-cv-00689-ICB, United States District Court for the Northern District of California
- *Mayer v. Administrative Committee of the Smurfit-Stone Container Corporation Retirement Plans*, Case No. 1:09-cv-02984, United States District Court, Northern District of Illinois
- *Mayes v. The Geo Group, Inc.*, Case No. 5:08-cv-248/RS/EMT, United States District Court, Northern District of Florida, Panama City Division
- *Mayotte v. Associated Bank, N.A.*, Case No. 2:07-CV-00033, United States District Court, Northern District of Florida, Panama City Division
- *In re MBNA Corp. Securities Litigation*, Case No. 1:05-CV-00272-GMS CONSOLIDATED, United States District Court, District of Delaware
- *Meadows v. Clearwater Bay Marketing, LLC*, Cause No. 49C01-0812-PL-054708, Marion Circuit Court, Civil Division, Marion County, Indiana
- *Means v. River Valley Financial Bank*, Cause No. 49D12-0704-PL016504, Marion Superior Court, County of Marion, State of Indiana
- *In re Merck & Co. Inc. Vytorin ERISA Litigation*, Civil Action No. 08-CV-1974 (DMC), United States District Court, District of New Jersey

- *Merrimon v. UNUM Life Insurance Company of America*, CIV. NO. 2:10-cv-00447-NT, United States District Court, District of Maine
- *In re Metavante Technologies, Inc. Shareholder Litigation*, Consolidated Case No. 09-CV5325 State of Wisconsin, Milwaukee County Circuit Court
- *Mey v. Herbalife International, Inc.*, Civil Action No. 01-C-263, Circuit Court of Ohio County, West Virginia
- *Mey v. Honeywell Int'l, Inc., et al.*, Case No. 2:12-cv-1721, United States District Court for the Southern District of West Virginia
- *In re Micromuse, Inc. Securities Litigation*, Case No. C-04-0136 BZ, United States District Court, Northern District of California
- *Milford & Ford Associates, Inc. v. Cell-Tek, LLC*, C.A. NO. 1:09-CV-11261-DPW, United States District Court, District of Massachusetts
- *Miller v. Weltman, Weinberg & Reis Co.*, L.P.A., Docket No. MID-L-006248-07, Superior Court of New Jersey, Law Division: Middlesex County
- *In re: MK Resources Company Shareholders Litigation*, C.A. Nos. 1692-VCS and 1598VCS, Court of Chancery, New Castle County, State of Delaware
- *Montalvo v. Tripos, Inc.*, Case No. 4:03CV995SNL, United States District Court, Eastern District of Missouri
- *Moore v. The Hertz Corporation*, 03-11772 Div. K, Circuit Court of the Thirteenth Judicial Circuit of State of Florida in and for Hillsborough, County Civil Division
- *In re Morgan Asset Management, Inc.* (Kelsoe and Weller Settlements), Administrative Proceeding File No. 3-13847, United States of America Before the Securities and Exchange Commission
- *Morrison v. MoneyGram International, Inc.*, Case No. 08-CV-01121 (PJS/JJG), United States District Court for the District of Minnesota
- Mortgage Settlement Consumer Restitution Program (Foreclosure Restitution Program and Bank of America Victims Program)
- *In re Motive, Inc. Securities Litigation*, Civil Action No. A-05-CV-923-LY and Case No. A06-CA-017-LY, United States District Court, Western District of Texas

- *Mozenter v. Nalco Holding Company*, Case No. 2011-MR-001043 (Consolidated), United States of America, State of Illinois, County of DuPage, Circuit Court of the Eighteenth Judicial Circuit
- *Mulhern v. MacLeod d/b/a ABC Mortgage Company*, Civil Action No. 2005-01619, Commonwealth of Massachusetts
- *In re: National City Corporation Securities, Derivative & ERISA Litigation*, Case No. 08-nc70000, United States District Court for the Northern District of Ohio, Eastern Division
- *The People of the State of New York v. SKS Associates, LLC*, IAS Part 58, Index No. 400908/12, Supreme Court of the State of New York, County of New York
- *Norflet v. John Hancock Life Insurance Company*, Civil No. 3:04cv1099 (JBA), United States District Court, District of Connecticut
- *In re Novamed, Inc. Shareholders Litigation*, Consolidated C.A. No. 6151-VCP, Court of Chancery State of Delaware
- *NSL Capital Management v. Gorman*, Docket No. C-48-08, Superior Court of New Jersey, Chancery Division, Monmouth County
- *Nthenge v. Pressler and Pressler, LLP*, Master File No. C-00-1211-PH United States District Court for the Northern District of California
- *In re: NX Networks Securities Litigation*, Civil Action Nos. 00-CV-11850-JLT and 01-CV10377-JLT, United States District Court, District of Massachusetts
- *Obermeyer v. MarineMax East, Inc.*, Case No. 08-54007-CA-24, Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- *Olivo v. Homecomings Financial LLC*, Index No. 4625/06, Supreme Court of the State of New York, Nassau County
- *Open MRI of Pinellas, Inc. v. Atlanta Casualty Insurance Company*, Case No.: 03-7721, Circuit Court of the 13th Judicial Circuit in and for Hillsborough County, Florida
- *Ori v. Fifth Third Bank and Fiserv, Inc.*, Case No. 08-CV-00432-LA, United States District Court, Eastern District of Wisconsin
- *In re: Ortiz v. Aurora Health Care, Inc.*, Case No. 2:12-cv-00295-LA, United States District Court for the Eastern District of Wisconsin

- *Osborn v. EMC Corporation*, Case No. C 04-00336 JSW, Northern District of California, San Francisco Division
- *In re OSI Pharmaceuticals, Inc. Securities Litigation*, Master File No. 2:04-CV-05505-JSWDW, United States District Court, Eastern District of New York
- *Otte v. Life Insurance Company of North America*, Civ. No. 09 CV 11537 RGS, United States District Court, District of New Hampshire
- *Overby v. Tyco International Ltd.*, Case No. 02-CV-1357-B, United States District Court, District of New Hampshire
- *Ownby v. Citrus County, Florida*, Case No. 2004-CA-1840, Circuit Court of the Fifth Judicial Circuit of the State of Florida, in and for Citrus County, Civil Division
- *In re: Pacific Gateway Exchange, Inc. Securities Litigation*, Master File No. C-00-1211-PJH, United States District Court for the Northern District of California
- *Paliotto v. Johnny Rockets Group, Inc.*, 1:06-cv-02253-RCL, United States District Court for the District of Columbia (Washington, D.C.)
- *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*, C.A. No. 7715-VCP, Court of Chancery of the State of Delaware
- *In re Par Pharmaceutical Securities Litigation*, Master File No. 2:06-cv-03226 (ES) (SCM), United States District Court, District of New Jersey
- *Parker v. American Medical Security Group, Inc.*, Civil Action File No. 04-1-1980-42, Superior Court of Cobb County, State of Georgia
- *Parthiban v. GMAC Mortgage Corporation*, SACV05-768-ODW (MLGx), United States District Court, Central District of California, Southern Division
- *Paskowitz v. Ernst & Young, LLP* (Motive, Inc.), Civil Action No. A-08-CA-188-LY, United States District Court for the Western District of Texas, Austin Division
- *Patel v. Baluchi's Indian Restaurant*, Civ. Action No.: 08 CIV 9985 (RJS)(THK), United States District Court, Southern District of New York
- *Payson v. Capital One Home Loans, LLC* (FLSA and KWPA Settlements), Case No. 07-CV2282-JTM/DWB, United States District Court for the District of Kansas at Kansas City

- *Pension Trust Fund for Operating Engineers v. Assisted Living Concepts, Inc.*, Case No. 12CV-884-JPS, United States District Court, Eastern District of Wisconsin
- *Pereira v. Foot Locker, Inc.*, Civil Action No. 07-CV-2157-JCJ, United States District Court, Eastern District of Pennsylvania
- *Perez v. Rent-A-Center, Inc.*, Civil Action File No. 01-CIV-7593, Superior Court of New Jersey, Law Division: Camden County
- *Pettway v. Harmon Law Offices, P.C.*, Civil Action No. 03-10932-RGS, United States District Court, District of Massachusetts
- *In re: PFF Bancorp, Inc. ERISA Litigation*, No. CV 08-01093-SVW (PLAx), United States District Court, Central District of California
- *Pickett v. Triad Financial Corporation*, Docket No.: MID-L-007727-05, Superior Court of New Jersey, Middlesex County
- *In Re: Platinum and Palladium Commodities Litigation*, Master File No. Civ 3617 (WHP), United States District Court, Southern District of New York
- *Police and Fire Retirement System of the City of Detroit, Plymouth County Retirement System v. SafeNet, Inc.*, Case No. 06 Civ. 5797 (PAC)
- *Pollitt v. DRS Towing, LLC*, Case No. 3:10-cv-1285, United States District Court of New Jersey, Trenton Vicinage
- *In re Potash Antitrust Litigation (II)*, MDL Dkt. No. 1996, No. 1:08-CV-6910, United States District Court for the Northern District of Illinois
- *Premier Open MRI, LLC v. Progressive American Ins. Co.*, Case No. 04-00021, Circuit Court for the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- Project HEART: Holocaust Era Asset Restitution Taskforce
- *Provo v. China Organic Agriculture, Inc.*, Case No.: 08-cv-10810, United States District Court, Southern District of New York
- *Puritan Budget Plan, Inc. v. Amstar Insurance Company*, Case No. 04-10428, Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida
- *Quaak v. Dexia, S.A.*, No.: 03-CV-11566 (PBS), United States District Court, District of Massachusetts

- *Ragsdale v. SanSai USA, Inc.*, Case Number 07-cv-1246 WQH (CAB), United States District Court, Southern District of California
- *Ramirez v. GreenPoint Mortgage Funding, Inc.*, Case No. 08-CV-00369 TEH, United States District Court for the Northern District of California
- *Raspante v. Harris Interactive et al.*, C.A. 9148-VCP, Court of Chancery, State of Delaware
- *Raul v. Western Liberty Bancorp*, Case No. A-12-668865-B, District Court of Clark County, Nevada
- *In re RBC Dain Rauscher Overtime Litigation*, Master File: 06-03093 JRT-FLN, United States District Court, District of Minnesota
- *In re RCN Corporation ERISA Litigation*, Master File No.: 04-CV-5068 (FLW), United States District Court, District of New Jersey
- *In re Ready-Mixed Concrete Antitrust Litigation*, Case No. 1:05-cv-00979-SEB-VSS, United States District Court for the Southern District of Indiana, Indianapolis Division
- *In re Reliant Securities Litigation*, Civil Action No. H-02-1810 (CONSOLIDATED), United States District Court, Southern District of Texas, Houston Division
- *In re RenaissanceRe Holdings Ltd. Securities Litigation*, Master No. 1:05-cv-06764-WHP, United States District Court, Southern District of New York
- *In re R.H. Donnelley Corp. ERISA Litigation*, Case No. 09-CV-07571 (RWG/MTM), United States District Court, Northern District of Illinois
- *Rolark v. Lawyers Title Insurance Corporation*, Case No. 03 CH 13789, Circuit Court of Cook County, Illinois County Department, Chancery Division
- *Rubin v. MF Global, Ltd.*, Case No. 08 Civ. 2233 (VM,) United States District Court, Southern District of New York
- *Rupp v. Thompson*, Court File No. C5-03-347, State of Minnesota District Court, County of Lyon, Fifth Judicial District
- *S. Parker Hardware Mfg. Corp. v. AT&T Corp.*, Docket No. BER-L-162-06, Superior Court of New Jersey, Bergen County

- *Saint Pete MRI v. Hartford*, Case No.: 10-03925, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- *Saint Pete MRI v. Auto Club South Insurance Company*, Case No.: 10-CA-013134, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida
- *Sam v. White*, Cause No. 49D06-1006-PL-027492, State of Indiana, Marion Superior Court No. 6, Civil Division
- *Santos v. Silver*, Docket No.: MID-L-08188-07, Superior Court of New Jersey, Middlesex County
- *Scher v. Oxford Health Plans, Inc.*, AAA No. 11 193 00548 05, American Arbitration Association
- *In re Schering-Plough Corp. Enhance ERISA Litigation*, Civil Action No. 08-CV-1432 (DMC), United States District Court, District of New Jersey
- *In re Schering-Plough Corp. ERISA Litigation*, Civil Action No. 03-1204 (KSH), United States District Court, District of New Jersey
- *Schmitz v. Liberty Mutual Insurance Company*, Civil Action No. 4:08-cv-02945, United States District Court for the Southern District of Texas Houston Division
- *In re Scottish Re Group Securities Litigation*, Master File No. 06-cv-5853 (SAS), United States District Court, Southern District of New York
- *In re Sears, Roebuck & Co. ERISA Litigation*, Case No. 02-C-8324, United States District Court, Northern District of Illinois
- *SEC v. Anderson*, Civil Action No. 05-1128 (D. Minn.)
- *SEC v. Gen-See Capital Corporation and Richard S. Piccoli*, Civil Action 09-cv-00014S, United States District Court, Western District of New York
- *SEC v. RenaissanceRe Holdings Ltd.*, Case No. 1:07-cv-00865 RWS, United States District Court, Southern District of New York
- *In re SEC v. Rockford Funding Group*, Docket 1:09-cv-10047-PGG, United States District Court, Southern District of New York
- *In re SEC v. Take-Two Interactive Software, Inc.*, Civil Action No. 09-cv-03113, United States District Court, Southern District of New York

- *SEC v. Tecumseh Holdings Corporation*, 03 Civ. 5490 (SAS), United States District Court, Southern District of New York
- *SEC v. The BISYS Group, Inc.*, Civil Action No. 07-cv-04010-KMK, United States District Court, Southern District of New York
- *SEC v. Value Line, Inc.*, A.P. File No. 3-13675, Securities and Exchange Commission
- *SEC v. WexTrust Capital, LLC*, Case No. 08-cv-7104 (DC), United States District Court, Southern District of New York
- *SEC v. Zomax, Inc.*, Civil Action No. 04-1155 (DWF/SRN), United States District Court, District of Minnesota
- *Serino v. Kenneth Lipper v. PricewaterhouseCoopers, LLP*, Index No. 04/602106, Supreme Court of the State of New York, County of New York
- *In re Sexy Hair Concepts, LLC*, Case No. 1:10-bk-25919-GM, United States Bankruptcy Court for the Central District of California, San Fernando Valley Division
- *In re SFBC International Securities & Derivative Litigation*, Case No. 2:06-cv-000165-SRC, United States District Court, District of New Jersey
- *Shamblin v. Obama For America, et al.*, Case No. 8:13-cv-02428-VMC-TMB, United States District Court, Middle District of Florida, Tampa Division
- *Shane v. Edge*, Case No. 3:10-CV-50089, United States District Court for the Northern District of Illinois, Northern Division
- *Sheikh v. Maxon Hyundai, Inc.*, Docket No: L-000476-09, Superior Court of New Jersey, Union County
- *Silke v. Irwin Mortgage Corporation*, Cause No. 49D03-0304-PL-000697, State of Indiana, Marion Superior Court, Civil Division
- *Sivsubramanian v. DNC Health Corp.*, Case No. 2:10-cv-03522-VBF (FMOx), United States District Court, Central District of California at Los Angeles
- *In re SLM Corporation Securities Litigation*, Case No. 08-Civ-1029 (WHP), United States District Court, Southern District of New York
- *Smith v. Mill-Tel, Inc.*, Case No. 08-CV-2016-JAR/JPO, United States District Court, District of Kansas, at Kansas City

- *Smolkin v. Leviton Manufacturing Co., Inc.*, Case No.: 03-C-04-008929, Circuit Court for Baltimore County
- *Soden v. East Brunswick Buick-Pontiac-GMC, Inc.*, Docket Nos. L-2510-03 and L-5617-03, Superior Court of New Jersey, Middlesex County
- *Sokoloski v. Stewart Title Guaranty Company Settlement*, Case No. 3:08-cv-00236-AWT, United States District Court, District of Connecticut
- *Sonoda v. Amerisave*, Case No. CV11-01803-EMC, United States District Court for the Northern District of California, San Francisco Division
- *Southeast Texas Medical Associates, LLP v. VeriSign, Inc.*, Case No. 1-05-CV-035550, Superior Court of the State of California, County of Santa Clara
- *Special Situations Fund III, L.P. v. Quovadx, Inc.*, Case No. 04-cv-01006-RPM, United States District Court for the District of Colorado
- *Steele v. GE Money Bank*, Case No. 08-CV-1880 United States District Court for the Northern District of Illinois
- *Stein v. Pactiv Corporation*, Case No. 10-CH-35455, Circuit Court of Cook County, Illinois, County Department, Chancery Division
- *In re Sterling Financial Corporation Merger Litigation*, No. 13-2-03848-4 (Consolidated with Case Nos. 13-2-03904-9 and 13-2-03986-3), Superior Court of Washington in and for Spokane County
- *In re: Sterling Financial Corporation Securities Class Action*, Civil Action No. 07-2171, United States District Court, Eastern District of Pennsylvania
- *Stoffels v. SBC Communications, Inc.*, Case No. 5:05-CA-00233-WWJ, United States District Court for the Western District of Texas, San Antonio Division
- *In re Stone & Webster, Inc. Securities Litigation*, Civil Action No. 00-CV-10874-RWZ, United States District Court, District of Massachusetts
- *In re: Supervalu, Inc. Securities Litigation*, Civil Action No. 02-CV-1738 (JEL/JGL), United States District Court, District of Minnesota
- *In re Suprema Specialties, Inc. Securities Litigation*, Master File No. 02-168 (WHW), United States District Court, District of New Jersey

- *Sutterfield v. Carney*, Case No. C-04-0893 BZ, United States District Court, Northern District of California
- *In re Symbol Technologies, Inc. Securities Litigation*, Case No. 02-CV-1383 (LDW), United States District Court, Eastern District of New York
- *In re Take-Two Interactive Securities Litigation and SEC v. Brant*, No. 1:06-cv-00803-RJS, United States District Court, Southern District of New York
- *Taylor v. McKelvey* (Monster Worldwide, Inc.), Civil Action No.: 06-cv-8322 (AKH), United States District Court, Southern District of New York
- *In re TD Banknorth Shareholders Litigation*, Consolidated C.A. No. 2557-VCL, Court of Chancery of the State of Delaware
- *In re Ticketmaster Entertainment Shareholder Litigation*, Case No. BC407677, Superior Court for the State of California, County of Los Angeles, Central Civil West
- *In re: Tyson Foods, Inc. Securities Litigation*, Civil Action No. 01-425-SLR, United States District Court for the District of Delaware
- *Matter of UBS Financial Services Inc. of Puerto Rico*, File No. 3-14863, United States of America Before the Securities and Exchange Commission
- *Ultra Open MRI Corporation v. Hartford Casualty Insurance Company*, Case No. 07-CA009132, Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, Civil Division
- *Ultra Open MRI Corporation v. Nationwide Assurance Company*, Case No. 03-010725, Thirteenth Judicial Circuit Court in and for Hillsborough County, Florida, Division H
- *United Consumer Financial Services Company v. William Carbo v. A&M Merchandising, Inc.*, Case No. L-3438-02, Superior Court of New Jersey, Law Division: Hudson County
- *Valley National Bank v. Cahn*, Docket No. L-0504-04, Superior Court of New Jersey, Law Division, Mercer County
- *Valuepoint Partners, Inc. v. ICN Pharmaceuticals, Inc.*, Case No. SACV 03-989 DOC (Anx), United States District Court, Central District of California
- *In re Vaso Active Pharmaceuticals Derivatives Litigation*, Master Docket No. 04-10792 (RCL) (Consolidated Derivative Action), United States District Court, District of Massachusetts

- *In re Vaso Active Pharmaceuticals Securities Litigation*, Master Docket No. 04-10708 (RCL), United States District Court, District of Massachusetts
- *Veal v. Crown Auto Dealerships, Inc.*, Case No. 8:04-CV-0323-T-27 MSS, United States District Court, Middle District of Florida, Tampa Division
- *In re Viisage Technology, Inc. Securities Litigation*, Civil Action No. 05-cv-10438-MLW, United States District Court, District of Massachusetts
- *In re VisionAmerica, Inc. Securities Litigation*, Master File No. 3-00-0279, United States District Court, Middle District of Tennessee, Nashville Division
- *Von Frielalde v. Boeing Aerospace Operations, Inc.*, C.A. No. SA06CA0236-OG, United States District Court for the Western District of Texas, San Antonio Division
- *In re Vonage Initial Public Offering (IPO) Securities Litigation*, Docket No. 07-CV-177 (FLW/TJB), United States District Court, District of New Jersey
- *Walker v. Hill Wallack LLP*, Case No. MID-L-003480-08, Superior Court of New Jersey, Middlesex County, Law Division
- *Walter v. Level 3 Communications, Inc.*, Civil Action No. 09-cv-0658-REB-CBS, United States District Court, District of Colorado
- *In re Warner Chilcott Limited Securities Litigation*, Case No. 06-CV-11515-WHP, United States District Court, Southern District of New York
- *Warren v. Orkin Exterminating Company, Inc.*, Civil Action No. 01-1-8395-35, Superior Court of Cobb County, State of Georgia
- *Wells v. DTD Enterprises, Inc.*, Case No. L-9012-07, Superior Court of New Jersey, Middlesex County, Law Division
- *Brown v. Wells Fargo & Company*, Case No. 11-1362 (JRT/JHG), United States District Court, District of Minnesota
- *Wenger v. Brunswick Buick Pontiac GMC, Inc. and Soden v. East Brunswick Buick Pontiac GMC Inc.*, Docket Nos. L-2510-03 and L-5617-03, Superior Court of New Jersey, Middlesex County
- *Wenger v. Cardo Inc., et al.*, Docket No.: MID-L-4924-07, Superior Court of New Jersey – Middlesex County: Law Division

- *Wenger v. Freehold Subaru, LLC*, Civil Action, Docket No. MON-L-4003-10, Superior Court of New Jersey, Monmouth County – Law Division
- *Williams v. CBE Group*, Case No.: 2:11-cv-3680-PS, United States District Court, District of New Jersey
- *Wisniak v. Mirant Americas Generation, LLC*, Civil Action No. 1:03-CV-2049-BBM, United States District Court for the Northern District of Georgia, Atlanta Division
- *Wyatt v. El Paso Corporation*, Civil Action No. H-02-2717, United States District Court, Southern District of Texas, Houston Division
- *Herrera v. Wyeth ERISA Litigation*, Civil Action: 08 Civ. 04688 (RJS), United States District Courts, Southern District of New York
- *Yarviv v. AT&T Corp.*, Docket No. SOM-L-272-05, Superior Court of New Jersey, Law Division: Somerset County
- *Yingling, et al. v. eBay, Inc.*, C 09 01733 JW (PVT), United States District Court, Northern District of California, San Jose Division
- *Yost v. First Horizon*, Civil Action No. 08-02293, United States District Court, Western District of Tennessee
- *Young v. Heimbuch*, Case No: CV10-8914 ODW (MANx), United States District Court, Central District of California
- *In re: YRC Worldwide, Inc. ERISA Litigation*, Case No. 2:09-cv-02953, United States District Court, District of Kansas
- *Zametkin v. Fidelity Management & Research Company*, No. 1:08-cv-10960-MLW, United States District Court, District of Massachusetts
- *Zelnick v. Citation Homes, Inc.*, Case No. 413861, Superior Court of California, County of San Mateo
- *Zilhaver v. UnitedHealth Group Incorporated*, No. 06-C-2237, United States District Court, District of Minnesota
- *In re Zomax, Inc. Securities Litigation*, Case No. 05-cv-01128, United States District Court, District of Minnesota

# EXHIBIT B

Postcard Notice



NOTICE FROM  
UNITED STATES DISTRICT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA  
(not a lawyer solicitation)

A Settlement Agreement has been reached in a class action lawsuit alleging that Flagship Credit Acceptance LLC ("Flagship") used automatic telephone dialing systems and/or prerecorded voices to call cellular phones in violation of the Telephone Consumer Protection Act. Flagship's records show that you may have received these calls and may be entitled to payment under the Settlement Agreement reached in the case.

A settlement fund of \$4,000,000.00 has been established to pay valid claims, attorney's fees, costs, any incentive award to the Class Representative and settlement administration costs. You may be entitled to receive an equal share of the fund. The final cash payment for Class Members will depend on the total number of valid and timely claims filed by all Class Members. Your legal rights are affected whether you act or don't act so read this notice carefully.

This Postcard Notice contains limited information about the Settlement. For more information or to submit an online Claim Form, visit [FlagshipTCPAsettlement.com](http://FlagshipTCPAsettlement.com)

TCPA SETTLEMENT  
CLAIMS ADMINISTRATOR  
[[[ ]]]

[CLAIM ID IN DIGITS]  
[CLAIM ID IN BARCODE]

Postal Service: Please Do Not Mark or Cover Barcode

[FIRST1] [LAST1]  
[BUSINESSNAME]  
[ADDR1] [ADDR2]  
[CITY] [ST] [ZIP]

PRESORTED  
FIRST-CLASS  
MAIL  
U.S. POSTAGE  
PAID

If you wish to participate in the settlement, please complete, sign, and return this **Settlement Claim Form** or submit an Online Claim Form.

For Official Use Only

You must complete and submit a Claim Form by \_\_\_\_\_. You may submit a Claim Form online at [FlagshipTCPAsettlement.com](http://FlagshipTCPAsettlement.com) or by completing and submitting this Settlement Claim Form to receive your share. The final amount per Class Member will depend on the total number of valid Claim Forms received and how the Court distributes the Settlement Fund.

Claim Number

Cell Phone Number at which you received the call  
(must complete if you do not have a Claim Number)

Name

Phone Number (optional)

Address

Email (optional)

City, State Zip

**Certification**

By signing and submitting this Settlement Claim Form, I certify and affirm that the information I am providing is true and correct to the best of my knowledge and belief, I am over the age of 18 and I wish to claim my share of the Settlement Fund.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Robert Ward vs. Flagship Credit Acceptance, 17-cv-02069 (Eastern District of Pennsylvania)*

**THIS POSTCARD PROVIDES LIMITED INFORMATION ABOUT THE SETTLEMENT VISIT [www.FlagshipTCPAsettlement.com](http://www.FlagshipTCPAsettlement.com) FOR MORE INFORMATION**

In the lawsuit, the Plaintiff alleges that Flagship violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 when it called him on his cellular telephone using an automatic telephone dialing system and/or a prerecorded voice. Flagship denies any wrongdoing, denies that it did not have prior express consent and denies that it violated the Telephone Consumer Protection Act or any other law. Both sides have agreed to settle the lawsuit to avoid the cost, delay, and uncertainty of litigation. You can read Plaintiff's Complaint, the Settlement Agreement, other case documents, and submit a Settlement Claim Form at [FlagshipTCPAsettlement.com](http://FlagshipTCPAsettlement.com).

**Who's Included in the Settlement Class?** All persons whom Flagship called on their cellular telephone through the use of any version of a TCN, LiveVox or Aspect dialing system and/or with an artificial or prerecorded voice at any time from May 5, 2013 to [][].

**What Can You Get?** Class Members who submit a valid and timely Claim Form are entitled to a share of the Settlement Fund. The final payment will depend on the total number of valid and timely claims filed by all Class Members. Each claiming Class Member will be entitled to an equal share of the Settlement Fund (\$4,000,000.00), after deductions from the fund for administrative costs, attorneys' fees and expenses, any incentive award to the Class Representative (Robert Ward). The final payment will depend on the total number of valid and timely claims filed by all Class Members. The Settlement is explained in detail in the long-form notice and in the Settlement Agreement available at [FlagshipTCPAsettlement.com](http://FlagshipTCPAsettlement.com).

**How to Get Money?** To qualify for payment, you must submit a valid Settlement Claim Form to [][ ] or submit an Online Claim Form by DATE.

**Your Other Rights.** If you do not want to be legally bound by the Settlement, you must exclude yourself by DATE or you will not be able to sue the Defendant for any claims relating to this case. If you exclude yourself, you cannot get money from this Settlement. If you stay in the Settlement Class, you may object to the Settlement by DATE. The long-form notice, located at the website listed below, explains how to exclude yourself from, or object to, the Settlement. The Court will hold a hearing in this case on \_\_\_\_\_, at \_\_\_\_ p.m. to consider whether to approve the Settlement, Plan of Allocation, and a request by Class Counsel for up to a third of the Settlement Fund in attorneys' fees and expenses. You may attend the hearing and ask to be heard by the Court, but you do not have to.

You may retain your own lawyer at your expense. If you retain your own attorney, they may attend the fairness hearing and appear in this action on your behalf.

If you do not take any action, you will be legally bound by the Settlement and any orders or Judgments entered in the Action, and will fully, finally, and forever give up any rights to prosecute certain claims against the Defendant.

For more information or a Settlement Claim Form: 800-xxx-xxxx or [FlagshipTCPAsettlement.com](http://FlagshipTCPAsettlement.com)

Do not contact the Court, Defendant or its counsel with questions. You may contact Class Counsel at [XXXXXXXXXXXX]

AFFIX  
POSTAGE  
HERE

Ward v. Flagship TCPA  
c/o Claims Administrator  
PO BOX XXXXX  
Claysburg, PA

Long Form Notice

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

-----X

Robert Ward, *on behalf of himself and all others similarly situated,*



Plaintiff,

v.

Flagship Credit Acceptance LLC,

Defendant.

-----X

**NOTICE REGARDING RIGHT TO BENEFIT FROM  
CLASS ACTION SETTLEMENT**

A Settlement Agreement has been reached in a class action lawsuit alleging that Flagship Credit Acceptance LLC (“Defendant” or “Flagship”) used an automatic telephone dialing system and/or prerecorded voices to call cellular telephones in violation of the Telephone Consumer Protection Act. Flagship’s records show that you may have received these calls and may be entitled to payment under the Settlement Agreement reached in the case.

A settlement fund of \$4,000,000.00 has been established to pay valid claims, attorney’s fees, costs, any incentive award to the Class Representative (Robert Ward) and settlement administration costs. You are entitled to receive a share of the fund. The final cash payment will depend on the total number of valid and timely claims filed by all Class Members. Your legal rights are affected whether you act or don’t act so read this notice carefully.

<b>YOUR OPTIONS</b>	
<b>Option 1: Submit a Claim Form Deadline: _____</b>	<b>Complete and submit a Claim Form and receive a share of the Settlement Fund</b>  By completing and submitting a Claim Form you may recover an equal share of the Settlement Fund. This is the only way to claim and receive from the Fund.
<b>Option 2: Ask to be Excluded Deadline: _____</b>	<b>Get out of this lawsuit and get no benefits from it</b>  You may ask to be excluded from the lawsuit. By excluding yourself, you cannot recover as part of this settlement and you keep a right to sue on your own.
<b>Option 3: Deadline: _____</b>	<b>Object to the terms of the Settlement Agreement.</b> You may object to the terms of the Settlement Agreement and have your objections heard at the [[[ [ ] ]]] Fairness Hearing.

**1. What is this lawsuit about?**

In the lawsuit, the Plaintiff alleges that Flagship violated the Telephone Consumer Protection Act, 47 U.S.C. § 227 when it called him on his cellular telephone using an automatic telephone dialing system. Plaintiff alleges that Flagship was calling his number searching for someone else and continued to call him after he informed Flagship it was calling the wrong number and asked it to stop.

Flagship denies any wrongdoing, denies that it did not have prior express written consent and denies that it violated the Telephone Consumer Protection Act or any other law.

Both sides have agreed to settle the lawsuit to avoid the cost, delay, and uncertainty of litigation.

You can read Plaintiff's Complaint, the Settlement Agreement, other case documents, and submit a claim form at www.\_\_\_\_\_com

**2. Why is this a class action?**

In a class action, a Class Representative (in this case, plaintiff Robert Ward) sues on behalf of a group (or a "Class") of people. Here, the Class Representative sued on behalf of people who have similar claims regarding automated calls to their cellular telephones by Flagship.

**3. Why is there a settlement?**

To avoid the cost, risk, and delay of litigation, the Parties reached a settlement agreement as to Plaintiff's and the Class claims.

**4. How do I know if I am a part of the settlement?**

For settlement purposes, the Court has certified a Class consisting of all people who meet the following definition:

All persons whom Flagship called on their cellular telephone through the use of any version of a TCN, LiveVox or Aspect dialing system and/or with an artificial or prerecorded voice at any time from May 5, 2013 to the date of preliminary approval.

**5. How do I recover?**

Submit a Claim Form. This is the only way to get a payment. You have the right as a member of the Settlement Class to receive an equal share of the Settlement Fund.

The final cash payment will depend on the total number of valid and timely claims filed by all Class Members. Each claiming Class Member will be entitled to an equal share of the Settlement Fund, after deductions from the fund for administrative costs, attorney's fees and expenses and any incentive award to the plaintiff.

You can submit a claim form online at www.\_\_\_\_\_com

Or, you can download the Claim Form online and mail it to:

[[[[ ]]]]

All claim forms must be mailed or filed online no later than \_\_\_\_\_.

After all valid claim forms are counted, the Settlement Administrator will provide each claiming Settlement Class Member their share of the Settlement Fund after the deductions above. Any excess settlement funds or benefit checks not cashed by Settlement Class Members will be provided to a charitable organization. The parties have recommended the JumpStart Coalition for Personal Financial Literacy as an appropriate organization.

**6. What am I giving up to receive these benefits?**

By staying in the Class, all of the Court's orders will apply to you, and you give Flagship a "release." A release means you cannot sue or be part of any other lawsuit against Defendant about the claims or issues in this lawsuit with respect to the claims in the action and you will be bound by the Settlement Agreement.

**7. How much will the Class Representatives receive?**

The Class Representative will receive his portion of the settlement as a Class Member and a payment of up to \$10,000 as an incentive award for having pursued this action. Any incentive payment is subject to Court Approval. The Class Representative will file a motion for his incentive award by [\*\*\*].

**8. Do I have a lawyer in this case?**

To represent the class, the Court has appointed attorneys with the law firm of Lemberg Law, LLC, 43 Danbury Road, Wilton, CT 06897 as "Class Counsel."

Class Counsel will request an award of attorney's fees and expenses from the Court of up to a third of the Settlement Fund. Any attorney's fee and expense award is subject to Court Approval.

Class Counsel will make their request for attorney's fees and expenses by [\*\*\*].

You may hire your own attorney to represent you in this matter. Your counsel may appear on your behalf at the Fairness Hearing. If you retain your own counsel, such retention will be at your own expense.

**9. I don't want to be part of this case, how do I ask to be excluded?**

Answer: Send a Request to Be Excluded.

If you don't want a payment from this settlement, but you want to keep the right to individually sue the Defendant about the issues in this case, then you must take steps to get out of the settlement. This is called excluding yourself, or "opting out", of the Settlement Class. To exclude yourself, you must send a letter by mail that (i) states your full name, address and telephone number, (ii) contains the cellular telephone number as to which you seek exclusion, (iii) contains your signature or the signature of the person authorized by law to sign on behalf of the Class Member, and (iv) states unequivocally that the Class Member's intent is to be excluded from the Settlement Class, to be excluded from the Settlement, not to participate in the Settlement, and/or to waive all rights to the benefits of the Settlement.

You must mail your exclusion request postmarked no later than [insert date] to:

[\*\*\*]

**10. How do I object?**

Any Settlement Class Member who has not requested to be excluded from the Settlement Class may object to the Settlement. In order to exercise this right, you must submit your objection to the settlement administrator and the Court. Class Counsel will file any objections submitted to the administrator with the Court. Your objection must (i) set forth the Settlement Class Member's full name, current address, and telephone number; (ii) identify the cellular telephone number of the Settlement Class Member that brings him or her within the scope of the Settlement Class; (iii) contain the Settlement Class Member's original signature or the signature of counsel for the Settlement Class Member; (iv) state that the Settlement Class Member objects to the Settlement, in whole or in part; (v) set forth a statement of the legal and factual basis for the Objection; and (vi) provide copies of any documents that the Settlement Class Member wishes to

submit in support of his/her position.

Class Counsel and the Class Representative will move for attorney's fees and expenses and any incentive award, respectively, by [[[ [ ]]]]. To view the motions for attorney's fees and expenses or the motion for an incentive award you may (1) access them on this settlement website, [www.\\_\\_\\_\\_\\_com](http://www._____com) under "Court Documents and Information," where they will be posted upon filing or (2) by appearing in person during regular business hours at the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania at 601 Market Street, Philadelphia, PA, 19106 or (3) by reviewing the motions online through the Public Access to Court Electronic Resources System (PACER), available online at [www.pacer.gov](http://www.pacer.gov).

To submit an objection mail your objection to the Settlement Administrator by \_\_\_\_\_, to address:

[[[[ [ ]]]]

**The Fairness Hearing**

The Court will hold a fairness hearing on [[[ [ ]]]] in the courtroom of the Honorable Michael M. Bayson, U.S. Courthouse, Eastern District of Pennsylvania at 601 Market Street, Philadelphia, PA, 19106. The purpose of the hearing will be for the Court to determine whether the proposed settlement is fair, reasonable, and adequate and in the best interests of the Class and to rule on applications for compensation for Class Counsel and an incentive award for the Class Representative. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement.

You may appear at the Fairness Hearing. If you retain your own counsel, they may appear on your behalf.

YOU ARE **NOT** REQUIRED TO ATTEND THIS HEARING TO BENEFIT FROM THIS SETTLEMENT. The hearing may be postponed to a later date without notice.

**FOR MORE INFORMATION**

Additional documents, including case documents, are available at [www.FlagshipTCPAsettlement.com](http://www.FlagshipTCPAsettlement.com) and all papers filed in this action are available through the Public Access to Court Electronic Resources System (PACER), available online at [www.pacer.gov](http://www.pacer.gov).